

**STATE ADVISORY COUNCIL ON THE EDUCATION
OF CHILDREN WITH DISABILITIES**

**November 15, 2002
Embassy Suites North
Indianapolis, Indiana**

APPROVED MINUTES

ADVISORY COUNCIL MEMBERS PRESENT:

David Schmidt (Chairperson), Gary Bates, Brett Bollinger, Lanier DeGrella, Terry Huser, Marcia Johnson, Becky Kirk, Bret Lewis, John Nally, Jackie Pitman, Mary Ramos, Elaine Scaife, Julie Swaim

ADVISORY COUNCIL MEMBERS ABSENT:

Rose Black, Cathlene Hardy Hansen, John Viernes

DOE STAFF PRESENT:

Bob Marra, Paul Ash, Becky Bowman

OTHERS PRESENT:

Sandy Armstrong (Northeastern Wayne School Corp.), Steve Bailey (Northeastern Wayne School Corp.), Bob Baltzell (Fayette County Schools), Dorothy Boersma (Fayette County Schools), Ginny Brackemyre (East Central Special Services Unit), Leonard Burrello (East Central Special Services Unit/Indiana U.), Dennis Chambers (Rush County Schools), Bob Domizio (Posey County), Jan Dunham (East Central Special Services Unit), Dr. Teresa Eineman (Fayette County Schools), John Engle (Western Wayne School Corp.), Barbara Burke Fondren (Community Montessori), Annette Foulke (East Central Special Services Unit), Anna Jo Fry (Rush County Schools), Dr. William Glentzer (Franklin County Schools), Ernest Gonzalez (Campagna Academy), Joetta Harris (Centerville-Abington School Corp.), Dr. Charlie Hobbs (Centerville-Abington School Corp.), Dr. Lauren Hoffman (East Central Special Services Unit), Jodi Johnson (Western Wayne Schools), Sherry Kean (Centerville-Abington School Corp.), Jim Kubaiko (Timothy L. Johnson Academy), Dr. Ed Lyskowski (Rush County Schools), Kathy Manicke (Signature School), William J. McKinney (East Central Special Services Unit), Rick McLeod (Jennings County Schools), Tracy Metcalfe (Centerville-Abington School Corp.), Dr. Ken Miller (Ball State-University Schools), Mark Ransford (Union Co./College Corner JSD), Mindi Rohan (The New Community School), Barbara Ross (Fayette County School Corp.), Marita Saxon (Franklin County Community School Corp.), Lynn A. Sheets (Western Wayne Schools), Heather L. W. Sittloh (Northeastern Wayne School Corp.), Vicki Snyder (Signature School), Charis Snyder-Gilbert (East Central Special Services Unit), Allan Spencer (Northeastern Wayne School Corp.), Marla Stevens (Benjamin Rush M.S.), Burke Thomas (Union Co./College Corner JSD), Marcia L. Thomas (Union Co./College Corner JSD), Becky Tighe (Jennings County Schools), Robert Van Dyke

(East Central Special Services Unit), Gerald Wagner (Ball State Virtual Coop.), Dr. Roy Weaver (Ball State), Dr. Richard Wells (Veritas Academy)

ISEAS PROJECT:

Gary Collings, Susie Thacker

David Schmidt called the meeting to order at 9:30 AM. He announced that the meeting was open to the public, but it was not a public meeting. Non-members may only address the council through a member. A sign-up sheet was circulated for all visitors' names and districts.

Council members reviewed minutes from the September 13, 2002 meeting. **MOTION: A motion to approve the September 13, 2002 minutes as written was made by Bret Lewis and seconded by Terry Huser. There was no discussion and the minutes were unanimously approved.**

EAST CENTRAL REORGANIZATION AND COMPREHENSIVE PLAN REVIEW:

Centerville/Fayette/Rush (CFR) Special Services for Exceptional Learners:

Bob Marra introduced Dr. Teresa Eineman, Superintendent of Fayette County Schools. Dr. Eineman reviewed that the original joint agreement for the East Central Special Services District was approved in 1972 and revised in 1996. She said she began asking questions about 4.5 years ago about the deficit, bus rides, instructional time, caseloads, paraprofessional pay, additional staff, December 1 count, and personnel recruitment. In 2002, a climate audit was conducted by Educational Services Company and was not followed up on by the governing board. Staff reductions were the only result.

Dr. Eineman concluded that the delivery system must change. Late in 2001 the three corporations of Centerville-Abington Community Schools (Dr. Charles Hobbs), Fayette County School Corporation (Dr. Teresa Eineman), and Rush County Schools (Dr. Edwin Lyskowski) gave notice to the other four school corporations of their intent to withdraw and began to plan for a new special education planning district in 2003-04.

Annette Foulke, behavioral consultant, explained the process for the collective work leading to the formation of the Centerville/Fayette/Rush (CFR) Special Services for Exceptional Learners involved a conviction to maintain local responsibility. CFR will employ a director (Jan Dunham) and an assistant director (Ginny Brackemyre). Governing responsibilities rest with the three member school boards and administration responsibilities remain with the three superintendents and their staff. The CFR has reached a collective agreement with the new East Central Special Services District to share services of some related services personnel.

Tracy Metcalfe, general education teacher, commented that students in high incidence programs will receive services in general education. Their goal is to return students in low incidence programs to home schools and resident corporations to the extent possible. In her corporation (Centerville), an interagency agreement for both early childhood services and post-secondary transition has been reached with a local agency.

Dorothy Boersma, parent of a 16 year old student with spina bifida, told the story of her son's accessibility challenges and progress from the age of two years. She discussed the capacity plan for both the new district and member school corporations to include staff development for all teachers.

Anna Jo Fry, special education teacher, emphasized the goal of serving students in their home school to the extent possible. She spoke to the many community agencies and departments that are active in the Rush County Schools. Fry noted the staff development plans included the case conference committee process.

Bob Baltzell, school board president, presented the evaluation plan and questions to be addressed across student learning, organizational impact, and consumer satisfaction. He emphasized that the bottom line is the benefit to students through flexibility as necessary.

Marla Stevens, principal, spoke to the leadership roles of administrators and their building level responsibilities for case conferences, follow-up resources, support of parent rights, implementation of IEPs, and continuous evaluation.

The following are responses from the presenters to questions raised by members of the council:

Dr. Eineman: The projected deficit in the current cooperative would be rectified by the end of this year. They anticipate the new CFR Cooperative will be operational by July 1, 2003.

Dr. Eineman: The separateness of the new CFR is key with the authority now resting with the member local school boards as well as responsibility. The three corporations are united in the educational philosophy of bringing the students and programs to home schools with a continuum of services available.

Dr. Eineman: The preschoolers in Fayette County will continue to be integrated into Head Start, which is also managed by the school corporation. Jan Dunham responded that Centerville will contract with a community agency and Rush County will work with Head Start.

Jan Dunham said that currently bus rides over an hour are not uncommon. She anticipates that only four students with hearing impairments may be bussed to a neighboring county if itinerant services are not sufficient. With the new district, their bus ride will be approximately 40 minutes. Ginny Brackemyre added that the remaining 22 students currently being bussed will be fewer than are currently bussed.

Dr. Eineman: The reason the current district can not bring all the children home now is the current governing entity does not support local decision making in this process and drastic major changes were needed.

Dr. Eineman: The reorganization will not necessarily be a less expensive approach particularly with the increasing census. The deficit was created under a mind set that children with disabilities are not "a local corporation problem" and separate programs were formed.

Bob Marra said he could only recall one complaint from a parent in the current district this past year.

Bob Marra: Two new districts are being formed with a model that eliminates the need to go through the seven member cooperative governing board for approval to delete/add local programs as needed. In the CFR Cooperative the new three member board will be advisory in nature. One of the early critical issues was how to deal with the current staff through a process of employing personnel locally and switching from cooperative contracts at Fayette County as local education administering agency.

Dr. Eineman: In the current arrangement, locations of programs in which to place eligible children were set and any additional resources would have to come through the cooperative budget. Case conference coordinators employed through the cooperative were limited to certain options for placement.

Jan Dunham assured members it was an oversight that Rush County was not included in this personnel part of the plan. Rush County is also committed to employing additional staff.

Dr. Eineman: Caseloads will be reviewed once the new plan is approved. CFR will have control of the funds to make local decisions for staffing patterns. Although each of the three member

corporations will be different, in general, all three expect decreases in low incidence caseloads and stable numbers in high incidence caseloads.

Dr. Eineman: There are five (5) administrators in the current cooperative. The new CFR Cooperative will have two (2) administrators with a census of approximately 1,000 students with disabilities. It is important to the new CFR Cooperative that it build capacity with a mission that has been expanded to include an emphasis on staff development. Building administrators will assume case conference responsibilities in contrast to coordinators from the cooperative. Jan Dunham noted that the building administrators were tired of being told what to do by cooperative administrators and were seeking local control as reported in the climate audit.

Jan Dunham: The reorganization could affect one child currently at ISD who may be served in the resident corporation.

Jan Dunham: Parents/families were included on the planning committees through the Arc and IN*SOURCE contacts.

East Central Special Services District:

Mr. Mark Ransford, superintendent of Union County/College Corner, gave an overview and description of the planning process with a committee of the whole including Franklin County (Dr. William Glentzer), Northeastern Wayne (Mr. Allan Spencer), and Western Wayne (Mr. Lynn Sheets). A core team worked out the details, and the four superintendents worked on governance and finance. He acknowledged the work of six consultants in facilitating the process.

Marcia Thomas, parent and general education teacher, reported that the new district will use a student focus model by looking at ways to keep students in their resident corporation. Some multi-categorical classrooms will be used. Low incidence programs may be located in other member corporations.

Heather Sittloh, special education teacher, discussed how shared services will be provided through a "binary paired" approach with Western Wayne/Northeastern Wayne, and Franklin/Union.

John Engle, principal, reviewed how each member corporation had representatives on the committee of the whole who focused on keeping students in resident corporations and home schools. Realistically, each of the four corporations will not have the resources to keep all students in home schools. The member corporations will share personnel and services for the director and office staff, psychologist, HI, VI, orthopedic, OT, PT, transition, and assistive technology. Each will have separate arrangements for pre-school.

Marita Saxon, speech pathologist, discussed the new district's capacity to advance individual achievement for each child even though not always served in the home school. The plan provides for professional development for all staff, including quality involvement for all general educators. The plan reflects the desire to make a positive difference for each student.

Sandy Armstrong, curriculum coordinator, gave an overview of the four member board of directors to be made up of the superintendents from the four member corporations. Union County/College Corner will serve as the local education administering agency under the joint agreement, which will be ratified by the four school boards on or before July 2003. The director position will be full-time and effective July 1, 2003. A child services coordinator and a number of other personnel will be needed. The cooperative office will be in temporary quarters for one year and will then move to Union County in Liberty, Indiana. Currently 27 of the 54 teachers in the cooperative are employees of Fayette County. The new district will file a staffing plan with Fayette County by December 2002. Those teachers not accepting positions in the new district will be "reduced in force (RIF)" by February 1, 2003 by Fayette County.

The following are responses from the presenters to questions raised by members of the council:

Mr. Ransford: Low incidence programs (VI, HI, EH) will be addressed as the new East Central district executes a purchase of services agreement with the new CFR Cooperative, which the four superintendents prefer over an option to contract with other agencies.

Mr. Ransford: An OT and PT may need to be employed or sought through local hospitals, but the preference is to contract for services with those now serving in Fayette County.

Mr. Ransford: The child services coordinators would, in part, work out program details with the local superintendent as well as be responsible for child find and transition. The person would serve somewhat as an assistant director but not be responsible for chairing case conferences.

Mr. Ransford: No, each corporation does not currently have EH programs, which will need to be re-designed after the district splits.

Mr. Ransford: The preschool program in Union County is integrated thanks to the work of Jan Dunham. The programs in the other member corporations are currently segregated and may be re-designed in the future.

Mr. Ransford: Building administrators or other local designees will chair case conferences. Other staffing patterns are yet to be determined in conjunction with the other three member corporations.

Yes, we will be better off splitting into two districts and the four superintendents are delighted with the new arrangements.

Mr. Ransford: Yes, the program for students with severe disabilities for the four corporations is in Northeastern Wayne. If the program remains there, it would not be feasible for a Franklin County student to be transported there and a local program may need to be developed.

Mr. Ransford: Yes, we will be able to afford the services that we will be providing. Although finances are not central to this proposal, our programs will likely not be as costly.

Mr. Ransford: It is our desire that teachers and students continue intact in their current programs and we expect to transport fewer students. Jan Dunham estimated that approximately 10 to 15 students with EH or moderate and severe disabilities may be affected.

Dr. Eineman confirmed that CFR has agreed to accept transfer tuition on a case by case basis during this transition period for the 10-15 students.

Mr. Ransford: Parents were represented in the planning process. Local corporations will have parent information meetings once teachers are employed. Teresa Eineman added that media coverage has been comprehensive encouraging parents to make contacts.

Mr. Ransford and Dr. Eineman agreed that services to nonpublic schools will not be affected by the reorganization.

Mr. Ransford acknowledged that it is feasible that students with more intensive needs may be returning to resident school corporations where services may not be adequate. If so, such an occurrence will be cause to re-examine the services.

Mr. Ransford: Pre-schoolers will be served within two of the school corporations. Those in Northeastern and Western may be riding a bus for 35 minutes.

MOTION: Brett Lewis moved to approve both comprehensive plans as presented. John Nally seconded the motion. During the discussion, the motion was amended by Lewis for

a one (1) year follow-up report, which was accepted by Nally. After the following discussion, the motion was unanimously approved by a show of hands.

Discussion of the Motion: In reply to a question, Bob Marra commented on the planning process for the two districts. He was asked to meet with the current seven member board one year ago (November 2001). Since his Division was understaffed and was not able to provide the necessary consultation, he contracted with an external consultant (Dr. Lauren Hoffman) to facilitate the planning process for both districts. He has been pleased by the broad base of parent and staff input and has been satisfied that the right people were involved in multiple meetings to address the necessary tough questions.

One council member questioned why the district needed to split if the criteria and governance are similar and both have committed to using building administrators. Another member responded that the difference may be the ability to employ personnel more readily at the local level as well as add needed resources. Another member characterized the current cooperative of seven members as a dysfunctional family that has come to terms with a divorce, which will allow each district to proceed as it sees fit.

Bob Marra commented that currently cooperative personnel only have limited authority in each corporation. A member commented that he would like to see more definition and details in the low incidence plan. Members called for the question.

EVANSVILLE-VANDEBURGH-POSEY (EVP) REVISED COMPREHENSIVE PLAN TO ADD SIGNATURE LEARNING CENTER (A CHARTER SCHOOL) TO THE COOPERATIVE:

David Schmidt explained that the Signature Learning Center (SLC) is a conversion charter school sponsored by the Evansville-Vanderburgh (EV) School Corporation. Larry Bass, director of the EVP Special Education Cooperative, explained that they are seeking an amendment to add the SLC to its comprehensive plan and joint agreement. All other aspects of the organizational structure remain the same as originally approved.

Larry Bass noted in his presentation that the SLC opened in August 2002 with approximately 215 students in grades 9-12. It was formerly an EV school building and the teachers are former employees of the school corporation. The core of the SLC program is science and math, international studies, fine arts, and health careers.

The vast majority of parents of students with disabilities are not expected to select the SLC, and the EVP cooperative will provide any required special education programs and supports. Currently, one student from Evansville and one from Warrick County with a disability have enrolled. Related services will be contracted from the EVP cooperative as needed. Itinerant services staff from the EVP will also be utilized as needed. The EVP cooperative will include the SLC staff in its staff development activities.

Vicki Snyder, principal, said that the SLC is in the process of re-wording its charter to accommodate students with disabilities through the assistance of Larry Bass. The SLC relationship with the EV school corporation is positive in behalf of the students.

The following are responses from the presenters to questions raised by members of the council:

Ms. Snyder thinks special education enrollment may increase as parents become more aware of its high school options. The SLC does recruit through advertisements.

Ms. Snyder responded that the SLC is open to anyone as a public school. They anticipate a maximum enrollment of 270 after which it would be necessary to conduct a lottery.

Ms. Snyder acknowledged the SLC is a statewide program by statute. The program actually started in 1992 with courses that were not available in local EV high schools. A member observed that the switch from a student viewpoint would seem to have been transparent. Kathy Manicke, teacher at SLC, stated that her most important goal is to provide any special learning opportunities as necessary to meet the special needs of students.

Ms. Manicke replied that there may be students who can not be accommodated in the SLC. These students would be moved to EV school corporation by transfer tuition. She confirmed that all three school boards are in favor of the proposal and have signed off on the revised joint agreement.

Julie Swaim asked if it is allowable for an SLC student to be moved at the discretion of the charter school? David Schmidt replied he thought the only reason a student would be transferred would be due to the physical obstructions in the building.

Bob Domizio, director of Posey County Special Services, remarked that students with disabilities from Posey County (MSD of Mt. Vernon, MSD of North Posey County, the Consolidated School Town of New Harmony and Harmony Township) may transfer with parent permission to the EV school corporation under the current joint agreement. Vicki Snyder commented that the SLC intends to keep all students with accommodations and related services from the EVP cooperative. She said the SLC would figure out ways to provide services in the SLC.

David Schmidt asked for an explanation of Section 7 (Transfer of Students) on the next to last page of the revised joint agreement. Larry Bass said that EV school corporation provides itinerant support services in home schools, but the cooperative also has more intense service programs at designated buildings.

Larry Bass answered that enrollment may eventually support a program at the SLC. However, if a student needs more significant special education services, the student may be served in the EV school corporation under the joint agreement. Brett Bollinger remarked this would seem as expected under the purposes of a cooperative to combine resources and serve students across the member corporations.

Vicki Snyder clarified for members that the SLC can not hand pick its students by statute requiring an open enrollment and accepts responsibility for its students. If the SLC does not have the resources to meet a student's needs, it would look to the cooperative.

Bob Marra clarified the previously approved Indianapolis Charter Special Services would not allow transfer of students to another charter member school under its joint agreement. Each charter member school is to bring services to the charter school where the child is enrolled.

Terry Huser commented that the council can not re-draft the statute, which only seems to require that the charter school provide a continuum of services. In this instance, the SLC proposal is to make the continuum assurance through the EVP cooperative.

Kathy Manicke remarked that the parents and student do visit the school and decide on the fit prior to enrollment. Larry Bass observed they have no other student situations that would require them to say to parents that this is the only single option.

MOTION: Bret Lewis moved to table the EVP joint service revision proposal until next meeting. The council requests additional information to reconcile conflicting language that the Signature Learning Center is open to all as a charter school, but it also can transfer its students. Julie Swaim seconded the motion, which was unanimously approved by a voice vote.

Bob Marra explained the necessity for him to seek a legal interpretation of the transfer language in the proposed joint agreement revision. Vicki Snyder asked if his legal inquiry would affect the current agreement with the same language for all other member school corporations?

COMPREHENSIVE PLAN FOR BALL STATE UNIVERSITY CHARTER SCHOOLS:

Roy Weaver, Dean of the Teachers College at Ball State University, introduced Gerry Wagner as the first director of special education for its current six (6) sponsored charter schools and university schools. Ball State University will serve as fiscal agent for what was referred to as the "Virtual Cooperative". Before giving his background and experience, Mr. Wagner introduced the university and charter school representatives in attendance (Ernest Gonzalez, Barbara Fondren, Mindi Rohan, Jim Kubaiko, Dr. Ken Miller, Dr. Richard Wells).

He presented an overview of enrollment, personnel, and services across the six schools (Campagna Academy - Schererville, Community Montessori - Floyds Knob, New Community School - West Lafayette, Timothy L. Johnson Academy - Fort Wayne, and two BSU University Schools - Muncie). BSU officials have initiated discussions with MacIntosh for a telecommunication system with both audio and video hook-ups for all charter school members.

In response to a request from a member, Mr. Wagner proceeded through the details of the proposal for a Virtual Cooperative. Technology will be the communication link to oversee the programs and services across the member charter schools, which are not geographically aligned but are physically from one end of the state to the other end. They are requesting an endorsement of this Virtual Cooperative concept to be undergirded by technology for administration, conferencing, and meetings. John Nally observed that the electronic network proposal is similar to the system currently being successfully utilized across the Department of Correction facilities

Mr. Wagner described how related services, such as psychological services, will be contracted by the respective charter (not BSU) as needed. The council chair inquired about the cooperative proposal to contract for speech services. Mr. Marra responded that the Division has approved at least 20 contracts for speech services across other districts and that this request would be considered similar to all others.

In response to a question about parental input, a BSU charter representative characterized the parental involvement in her school as substantial with parents seeking related services contacts. Another council member added she would like to have seen evidence of more parental input into the plan across all the charters. Mr. Wagner remarked parental involvement will be a standing question he will continue to ask throughout the planning process. He will be available to parents as well as faculty through electronic means since he has statewide responsibilities.

In reply to a question about the extent of evaluation, Mr. Wagner responded this component was to be addressed in the near future. He assured council members the cooperative will meet the letter of the law.

Mr. Wagner was asked to enumerate the advantages of the Virtual Cooperative as presented. He noted the benefit of having BSU as the fiscal agent to receive and disburse the funds to the member charter schools through language yet to be defined in the agreement. The funds will not benefit the university through indirect costs. The funds will go to the charters for special education programs. Although the charter coordinator is the first line of inquiry, the director of special education would be the next level for any parental concerns regarding IEPs, etc. The students at all of the charters have all due process guarantees.

Dean Weaver responded to a question about oversight of charters. He reported that the university can revoke a charter. Both the director of special education and the director of charter schools will report directly to him. Dr. Miller emphasized that parents enrolling in his charter represent his first

line of accountability to assure students are receiving the appropriate education. A council member asked for consistency in title as either the director of special education (or special services) throughout the document.

Mr. Wagner commented he will also become more knowledgeable of the curriculum of each charter so he can better assist each with special education matters. Dean Weaver remarked BSU has an array of faculty members whose expertise can be brought into situations as warranted.

MOTION: Brett Bollinger moved for approval of the Comprehensive Plan for the Delivery of Special Education and Related Services for the Ball State Sponsored Charter Schools and University Schools through the Virtual Cooperative to include a report to the State Advisory Council after one year. Gary Bates seconded the motion. Hearing no other discussion, the chairperson called for a voice vote by which the motion was unanimously approved.

DIVISION UPDATE:

Members received a copy of an October 17, 2002 letter from Mr. Marra to Barbara Maschino advising her the revised comprehensive plan submitted on October 4, 2002 had been approved for the Options Charter School. Members received a copy of the Limited License Report update for 2001-02.

OTHER BUSINESS:

David Schmidt and Bob Marra recognized Jackie Pitman with a bouquet of flowers on this day of her retirement from FSSA and the Advisory Council.

NEXT MEETING:

January 10, 2003 (9:30 AM) - Embassy Suites North, Indianapolis

FUTURE MEETINGS SCHEDULED:

April 25, 2003 (9:30 AM) at the Embassy Suites North, Indianapolis.

MOTION TO ADJOURN:

A motion to adjourn the meeting was made by David Schmidt and seconded by Terry Huser. The motion was unanimously approved.